

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Conservation Law Foundation, Inc.)	
)	
Plaintiff)	
)	
v.)	Civil Action No.
)	1:18-cv-00996-PB
New Hampshire Fish and Game Department, et al.,)	
)	
Defendants)	
)	

**DEFENDANTS’ OBJECTION TO PLAINTIFF’S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

The Defendants, Scott Mason, John Caveney, Paul DeBow, Albert J. Derosa, Ray Green, Christopher Hodgdon, Meggan Hodgson, Marc Lachance, Paul G. McInnis, Susan Price, Eric Stohl, and Bruce Temple, by and through counsel the Office of the New Hampshire Attorney General (collectively the “Defendants”), and submit this objection to Plaintiff’s Motion for Award of Attorneys’ Fees and Costs of Litigation. As explained in the accompanying memorandum of law filed with this objection, which Defendants hereby incorporate as if fully set forth herein, Plaintiff’s motion should be denied because Plaintiff was not a substantially prevailing party, or in the alternative, Plaintiff’s requested fee award should be significantly reduced to reflect Plaintiff’s actual degree of success and to eliminate excessive or unnecessary fees.

WHEREFORE, the Defendants respectfully requests that this Honorable Court:

1. Deny Plaintiff's Motion for Award of Attorneys' Fees and Costs of Litigation;
2. In the alternative, reduce the award of attorneys' fees and costs as set forth in the accompanying memorandum of law and in the Court's sound discretion; and
3. Grant such other and further relief as this Court deems just and equitable.

Respectfully submitted,

SCOTT MASON, in his official capacity as
EXECUTIVE DIRECTOR of the NEW
HAMPSHIRE FISH AND GAME
DEPARTMENT; and
JOHN CAVENEY, PAUL DEBOW, ALBERT J.
DEROSA, RAY GREEN, CHRISTOPHER
HODGDON, MEGGAN HODGSON, MARC
LACHANCE, PAUL G. MCINNIS, SUSAN
PRICE, ERIC G. STOHL, and BRUCE TEMPLE,
in their official capacities as the
COMMISSIONERS of the NEW HAMPSHIRE
FISH AND GAME COMMISSION

By their attorney,

JOHN M. FORMELLA,
Attorney General

Date: December 15, 2022

/s/ Christopher G. Aslin
Christopher G. Aslin, Bar No. 18285
Senior Assistant Attorney General
New Hampshire Department of Justice
33 Capitol Street
Concord, New Hampshire 03301-6397
(603) 271-3679
christopher.aslin@doj.nh.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing objection and accompanying memorandum of law has this day been forwarded via the Court's Electronic Case Filing System to:

Thomas F. Irwin, Esq.
Conservation Law Foundation
27 North Main Street
Concord, NH 03301

Heather A. Govern, Esq.
Chelsea E. Kendall, Esq.
Conservation Law Foundation
62 Summer St.
Boston, MA 02110

Date: December 15, 2022

/s/ Christopher G. Aslin
Christopher G. Aslin